

**THE MINUTES  
FOR THE DECEMBER 4, 2012  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
MEETING AT 6:00 P.M.**

Present: Mayor Doll, Trustees Kehoe, Maline, McMullen and Tobin, Village Clerk Donna Koch, Village Administrator Gene Guido, Village Attorney James Matthews, Chief Bruckenthal

**ANNOUNCEMENTS:** Fire Commissioner Tony Graziano, brought to the Boards attention the outstanding efforts of the Fire Department during super storm Sandy. The Department responded to Mayor Doll stated the Board recognizes the efforts of all the Village Department and employees.

**PRESENTATIONS:** no presentations.

**PUBLIC HEARINGS:**

Mayor Doll asked the Clerk to read the notice of public hearing to wit:

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 4<sup>th</sup> day of December, to consider the following proposed local law:

Local Law No. 4 of the Year 2012  
Village of Northport, County of Suffolk

**A local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c**

**Section 1. Legislative intent**

It is the intent of this local law to allow the Village of Northport to adopt a budget for the fiscal year commencing March 1, 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

**Section 2. Authority**

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local governments governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent(60%) of said governing body.

**Section 3. Tax Levy Override**

The Village Board of Trustees of the Village of Northport, County of Suffolk , is hereby

authorized to adopt a budget for the fiscal year commencing on March 1, 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

#### **Section 4. Severability**

If a court determines that any clause, section, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation to be clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### **Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State

On the motion of Trustee Tobin and seconded by Trustee McMullen the Public Hearing was opened.

Trustee Tobin explained what the 2% tax cap applied to: the 2% cap is on is the tax levy which is the total amount collect by the Village.

Joe Sabia, spoke regarding the 2% cap, stating the cap "just doesn't work" . Mr. Sabia stated the pension costs continue to rise and sooner than later it will bankrupt every Village. The Village needs to look into having Suffolk County Dispatchers take over the Villages dispatching function. Mayor Doll stated this was conversation for the budget hearing.

On the motion of Trustee Kehoe and seconded by Trustee Tobin the Public Hearing was closed.

#### **PUBLIC COMMENT:**

Dr. Alan Spielberg of Annetta Ave. brought to the Boards attention an on-going issue he is having regarding tree damage from hurricane Irene. Dr. Spielberg stated that a large limb had fallen from a Village tree damaging his garage roof. The cost to repair was \$800.00 and Dr. Spielberg would like restitution. The Village insurance company has denied the claim stating it was an act of nature. Dr. Spielberg does not believe this to be true and stated that he has made several calls to the Village Hall and spoke to Mr. Guido and his predecessor. Mayor Doll search for any work orders or letters of defect and none had been found. Trustee Tobin asked for a couple of weeks to review the files and he would get back to Dr. Spielberg.

#### **BOARD APPROVAL OF WARRANT:**

On the motion of Trustee Kehoe and seconded by Trustee Tobin the following bills were approved for payment.

**Fiscal Year 2012/2013 General Fund bills in the amount of \$ 23,211.56**

On the motion of Trustee McMullen and seconded by Trustee Kehoe the following bills were approved for payment.

**Fiscal Year 2012/2013 Sewer Fund bills in the amount of \$ 5,474.99**

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2012/2013 Capital bills in the amount of \$1,015.47**

On the motion of Trustee Kehoe and seconded by Trustee Kehoe the following bills were approved for payment.

**Fiscal Year 2012/2013 Capital bills in the amount of \$139,917.99**

### **COMMISSIONER'S REPORTS:**

**ADMINISTRATOR'S REPORT:** Mr. Guido requested that a bill from All Appliance repair for \$1045.00 be added to tonight warrant. The Board approved this request. Mr. Guido also reported that about 20 bid packets for the WWTP Upgrades had been pickup.

**CHIEF OF POLICE REPORT:** Chief Bruckenthal reported everything was going smoothly and the department had made 25 arrests in the last month.

**NEW BUSINESS:** 1<sup>st</sup> meeting in January. (January 1, 2013 is the first Tuesday) The meeting was changed to Wednesday January 2, 2013.

**OLD BUSINESS:** Budget Workshops. A workshop session was scheduled for Thursday December 6, 2012 at 4:30 in the afternoon.

**CORRESPONDENCE:** A thank you letter from the Northport Chamber for the Villages help with the Famers Market was received.

A thank you letter from the Visiting Nurse for the assistance during their tree lighting ceremony was received.

**REQUESTS:** no requests this evening.

### **RESOLUTIONS:**

On the motion of Trustee Kehoe and seconded by Trustee Tobin the following resolution was unanimously approved

**RESOLUTION 2012- 134 ~ APPROVAL OF THE NOVEMBER 21, 2012 MINUTES**

**WHEREAS:** Copies of the minutes of the November 21, 2012, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

On the motion of Trustee Kehoe and seconded by Trustee Tobin the following resolution was unanimously approved

**RESOLUTION 2012 – 135 LOCAL LAW No. 4 OF 2012.**

**WHEREAS:** a Public Hearing of the Village Board of Trustees was held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 4<sup>h</sup> day of December, to consider the following proposed local law:

Local Law No.4 of the year 2012  
Village of Northport, County of Suffolk

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2012 – 136 ~ BUDGET TRANSFER**

**BE IT RESOLVED:** The Village Treasurer is hereby authorized to make the following budget transfer

From: A.3120.0102 (Crossing Guard Salaries)	\$3806.00
To: A.9089.0805 (Unemployment Insurance)	\$3806.00

From: A7140.0111 (Parks Part time Salaries)	\$6000.00
To: A7140.0200 (Parks Equipment)	\$6000.00

From: Acct.No. 04-6705117 F.D. Equipment	\$100,000.00
To: Acct No. 04-9002744 Service Award Program	\$100,000.00

**A RESOLUTION FOR AN EXECUTIVE SESSION:** if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch  
Village Clerk